

REMARKS

I. Status Of Claims

Claims 1-5, 7-23, and 25-40 are pending.

Claims 1-5, 7-23, and 25-40 stand rejected.

III. Rejection Under 35 USC §103

The examiner has rejected claims 1-5, 7-23, and 25-36 and 40 under 35 USC §103(a) as being unpatentable over Landry (U.S. 5,956,700) in view of Witt et al (U.S. 5,812,989) and further in view of Mamone et al (U.S. 4,958,291). It is the examiner's position with regard to independent claims 1 and 19 that Landry "discloses the system and method for processing account information contained in batch files in an on-line manner, said method comprising reading at least one batch file ... (col. 11, lines 64 – col. 12, lines 19, Landry); identifying which of said plurality of records relates ... (col. 12, lines 40-65, Landry); processing each of said records ... (col. 13, lines 35-60, Landry). However, Landry didn't disclose: selecting and restricting access to one of said accounts ... col. 5, lines 42-59, Witt).

Neither Landry nor Witt disclose the applicant's step of "removing said restricted access to said selected account after all of said records identified as related to said selected account are processed." However, the Examiner alleges that Mamone (col. 5, lines 37-41) discloses such step. The conclusion is that it would have been obvious "...to include the step selecting and removing said restricted access in the system of Landry as taught by Mamone. The motivation being to enable the users to improve security level to protect the account information when transaction processing." As will be shown below, Mamone is not applicable as providing a step

in the current invention because it would render the current inoperable and thus would not render the invention enabled.

Applicant respectfully disagrees with and explicitly traverses the examiner's re-stated reasons for rejecting the claims. Applicant believes that the present invention is not obvious in view of the references cited by the examiner for reasons set forth below.

Firstly, a claimed invention is *prima facie* obvious when three basic criteria are met: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein; (2) there must be a reasonable expectation of success; and (3) the prior art reference or combined references must teach or suggest all the claim limitations.

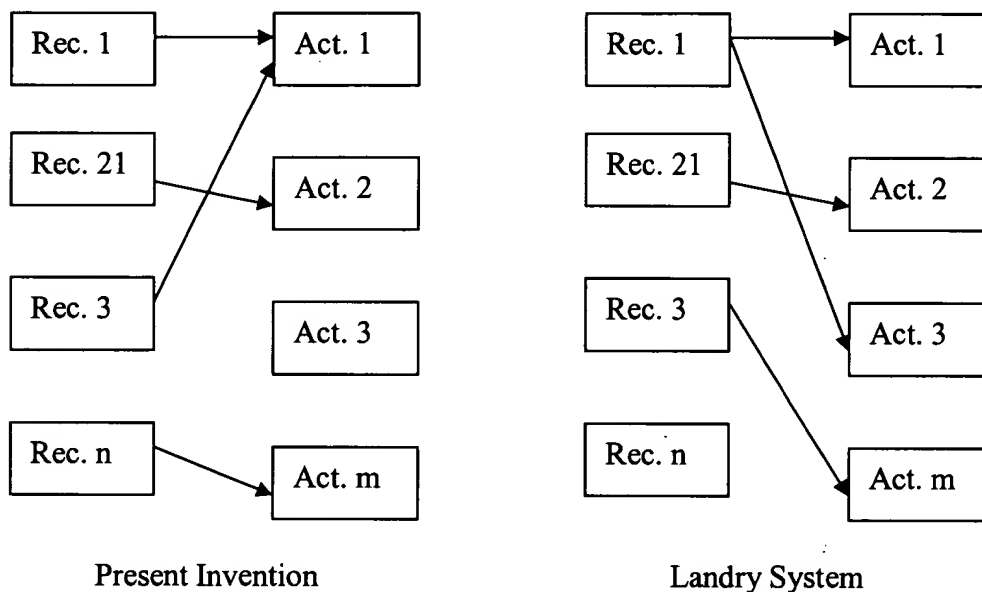
The references cited, individually or in combination, contrary to the examiner's position, do not teach, disclose, or provide the motivation for one skilled in the art to develop the novel features of the present invention as suggested by the examiner, as will be shown.

With regard to claim 1, this claim teaches a system that has a plurality of records of which one or more records may be identified with a specific account. No record is identified with more than one account. After identification of the records to an account, each of the records is associated with an account and then processed.

Landry discloses a system and method for paying bills without requiring interaction with the payors. "In its simplest form, bill generator 12 may use the Payee Information within the Payee Database 20 as a recurring datafile to search the Payor Information in the Payor Database 18 to generate bill records at predetermined times." (see col. 11, lines 64-68). "On some type of recurring basis, either periodically or at operator initiative, bill generator 12 processes generated bill records and transfers them to a TCF message generator 22." (see col. 12, lines 7-10). Hence,

the Landry system may be viewed as a record (payor information) identifying one or more accounts (payee information). On the other hand, the Landry system may be viewed as an account (payor information) identifying one or more records (payee information).

Importantly, in regards to Landry, the payor information may include information for a plurality of accounts or records and that processing is based on the payee information processing each of the associated payor information records. This difference between the structure of the present invention and the Landry reference is clearly shown in the following illustration:



As shown, the present invention allows for each record being associated with a single account and multiple records may be associated with the same account, i.e., multiple-to-one. Processing is based on the accounts to process each of the records.

Hence, Landry does not teach the structure or the processing described in the claims and the present invention would not be obvious from the teaching of Landry. One could not combine Landry with the teaching of Witt and the teaching of Mamone to achieve the operation provided by the present invention simply because in the Landry system associates a multiplicity of

accounts with one record or alternatively stated, one record may be associated with a plurality of accounts, i.e., one-to-many, as each account includes specific payee information for the payor, even though the payee information for individual accounts may be the same. The processing is then based on the payee information in satisfying the obligations of each of the associated accounts. The Landry fails to provide the present invention claim 1 steps of: *reading at least one batch file containing a plurality of records, each of said plurality of records associated with one of a plurality of accounts; identifying which of said plurality of records relate to same ones of said plurality of accounts*. Therefore, even if for argument's sake, the Mamone and Witt references were combined with Landry, the resulting process or system would not achieve the aims of a user who needed to associate a plurality of records with one account. Therefore, the criteria that "there must be a reasonable expectation of success" fails to be met.

Neither Landry nor Witt disclose the Applicant's present invention claim 1 step of: *"removing said restricted access to said selected account after all of said records identified as related to said selected account are processed."* Mamone does not provide this step either (col. 5, Lines 37-41). Mamone discloses a system for accounting for postage expended by postage meter. The system stores the images of an account to be edited in selected regions of non-volatile memory before beginning to edit the account. (see abstract). However, rather than "selecting and restricting access to one of said accounts" as is claimed, access to the accounts is initially restricted and requires a special key, e.g., a supervisor password, to unlock the restricted access to allow a user to update the edited accounts. More specifically, Mamone teaches in col. 7, lines 58-66, "[if] a difference is detected, the system displays the prompt METER DIFFERENCE ... the system displays the prompt PASSWORD, requesting a supervisory password from the operator, ... the operator may enter the supervisor's password code and the

system displays the prompt METER CHANGED." Hence, the system of Mamone operates on restricted files, the postage meter usage files, and requires special permission to allow access. Mamone does not disclose "selecting and restricting access" as this is used in the present invention.

Claim 1, as it refers to selecting and restriction, needs to be read so as to include each of the elements that deal with these two functions: "...selecting one of said accountsand restricting access to selected account, ...processing each of said records and...removing said restricted access..." When read together it can be more clearly appreciated that Mamone does not accomplish this. Mamone performs one of two actions: (a) either locks out an account so it cannot be used (in the present invention a restriction is necessary to use the account in the step of "...processing each of said records..." or (b) unlocks a previously locked account. When the field service technician in Mamone unlocks an account, it is firstly through a password that allows access to the account, i.e., the account was already restricted from access. (Note, the step of "...selecting one of said accounts.." is not mentioned in Mamone, although it does mention unlocking previously locked accounts). After entering the password (not required in the present invention), the technician (in the present invention an individual is not accessing the record, a computer is) is allowed access to the account. Thus, rather than to restrict and to select access, the relevant action in Mamone as referred to by the examiner, operates to allow and to select access when the password is provided. In a binary explanation of the Mamone logic: it first is restricted AND prevented use or alternatively stated Restriction ON AND Use OFF and then a state changed to: unrestricted AND permitted use or alternatively stated Restriction OFF AND Use ON. In the present invention the logic is different: it first is unrestricted AND prevented use or alternatively Restriction OFF AND Use OFF and then a state change to: restriction removed

AND use prevented or alternatively Restriction ON AND Use ON. The following truth table makes this clear.

	<u>Use ON</u>	<u>Use OFF</u>
<u>Restriction ON</u>	Invention	Mamone
<u>Restriction OFF</u>	Mamone	Invention

In the instant case, the examiner believes that the Landry reference combined with the teachings of the Mamone reference would be sufficient to render claim 1 obvious. However, the teachings of Landry and Mamone do not suggest any motivation for combining the references. Neither the Landry reference, as stated by the examiner, nor the Mamone reference discloses or suggests "selecting and restricting access" as recited in claim 1. *In fact, Mamone would never consider such a step as the files are already restricted and require a password to allow access.* Lastly and importantly, even if Mamone and Landry references were combined, the resulting process or system would not achieve the aims of a user who needed a process for *removing said restricted access to said selected account after all of said records identified as related to said selected account are processed.* The aims would not be achieved because Mamone does not achieve accomplish this step in the process. Therefore, the criteria that "there must be a reasonable expectation of success" fails to be met.

Having shown that Landry and Mamone do not teach, disclose or provide the motivation for one skilled in the art to develop the novel features of the present invention, applicant submits that the examiner's combination of such references is not justified. Accordingly, the reasons for rejecting the claims are not sustainable.

Furthermore, even if the references were combined in some manner, the combined teachings would not, as shown above, include each of the steps of the instant invention because the instant invention would not work (would not be enabled) and therefore the Landry reference does not teach the present invention.

Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of claim 1.

The examiner rejected claim 19 claim by citing the same references used in rejecting claim 1. Thus applicant's remarks made in response to claim 1 are repeated with regard to claim 19. Accordingly, applicant submits that in view of the remarks made with regard to the rejection of claim 1, which are repeated herein in response to the rejection of claim 19, the examiner's rejection of claim 19 can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of claim 19.

The examiner has rejected each of the dependent claims based on a rejection of the independent claim from which they depend. Accordingly, the applicant's remarks made in response to claims 1 and 19 are also applicable in response to the rejection of each of the dependent claims 2-5 and 7-18 and 20-23, 25-40. In view of the remarks made with regard to the rejection of claims 1 and 19, which are repeated herein in response to the rejection of the dependent claims, applicant respectfully submits that the examiner's rejection of the dependent claims can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of each of the dependent claims.

The examiner has rejected claims 37-39 under 35 USC §103(a) as being unpatentable over Landry (U.S. 5,956,700) in view of Witt et al (U.S. 5,812,989) and further in view of Mamone et al (U.S. 4,958,291) and further in view of Pare, Jr. et al. (U.S. 6,154,879).

With regard to claims 37-39, these claims also depend from claim 19. Accordingly, the applicant's remarks made in response to claim 19 are also applicable in response to the rejection of each of the dependent claims 37-39. In view of the remarks made with regard to the rejection of claim 19, which are repeated herein in response to the rejection of the dependent claims, applicant respectfully submits that the examiner's rejection of the dependent claims can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of each of the dependent claims.

Applicant submits that the reasons for the examiner's rejection of the claims have been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of the claims.

IV. Conclusion

Having addressed the examiner's objections to the specification and rejection of the claims under 35 USC §103, applicant submits that the reasons for the examiner's rejection have been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the objection and rejection and that a Notice of Allowance regarding claims 1-5, 7-23, and 25-40 be issued.

If the examiner believes that the prosecution of this matter may be advanced by a telephone call, the examiner is invited to contact applicant's attorney at the telephone number indicated below.

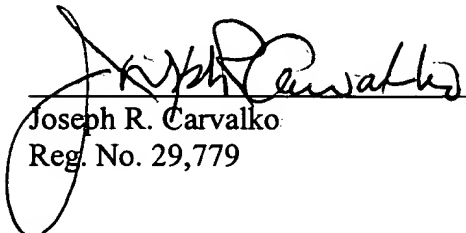
V. Fees

No fees are believed necessary for filing this election and response. However, the Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess

payment that may be associated with this communication to Duane Morris LLP deposit account
50-2061.

Respectfully submitted,

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